

1 UNITED STATES OF AMERICA
2 ENVIRONMENTAL PROTECTION AGENCY

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In the Matter of:

4
Informational Meeting and Public Hearing
5 on the Proposed Land Ban Exemption for the
EDS Hazardous Waste Injection Wells in
6 Romulus, Wayne County, Michigan.

7
8 PUBLIC HEARING

9 PROCEEDINGS HAD in the above-entitled matter
10 before the Environmental Protection Agency, LISA PERENCHIO,
11 Hearing Officer, at the Crowne Plaza, 8000 Merriman Road,
12 Romulus, Michigan, commencing at or about 7:00 p.m. on
13 Monday, April 21, 2003.

14 APPEARANCES:

15 MS. LISA PERENCHIO, Hearing Officer
16 MR. DAVE NOVAK, USEPA Office of Public Affairs

17
18 ALSO PRESENT:

19 MS. DANA RZEZNIK, Permit Writer for the EDS Wells
20 MS. SALLY SWANSON, Acting UIC Branch Chief at USEPA
in Chicago, Illinois

21
MS. MARIA GONZALES, Regional Counsel, EPA Office

22
MR. HARLAN GERRISH, USEPA, Geologist and Lead Reviewer

23
24 REPORTER: Lynne Marie Zakrzewski, RMR, CSR-3179
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1 Romulus, Michigan
2 Monday, April 21, 2003
3 7:12 p.m.

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5 MR. NOVAK: Good evening, everyone. I'd like to
6 welcome you again this evening for the public comments on
7 the land proposal restriction, exemption proposal, for the
8 Environmental Disposal System's deep well.

9 This evening I notice a lot of you folks are
10 returnees to these hearings, and we're going to do just a
11 tad bit different than we did the last time we were here.

12 I'm Dave Novak, by the way. I'm with Public
13 Affairs, Region V, EPA in Chicago, and what we'll be doing
14 this evening is starting out, of course, we have the first
15 hour of one on one if you had individual questions. Now,
16 we're going to listen to your comments again like we did the
17 last time.

18 If you spoke the last time, you need not repeat
19 what you said the last time. It is already part of that
20 record. However, you are invited, and we are doing it by
21 the numbers again.

22 Starting it up are the elected and appointed
23 officials, who, of course, have no time limit. After that,
24 the remaining time is going to be divided up amongst the
25 number of speakers. The only time limits we're going to

1 give you on the remaining time is just a reference mark.

2 So if there's enough time left -- you get three
3 minutes. At two and a half minutes, I will just stand up,
4 again, just for reference. We want to keep moving the time
5 like we did last time, getting all the speakers and giving
6 you as much quality as we can.

7 The hearing official this evening is Lisa
8 Perenchio. She was the hearing officer last time, and she
9 will continue to take your comments, and she will start the
10 proceedings with reading the requisite statement for these
11 types of hearings.

12 MS. PERENCHIO: Will the hearing come to order,
13 please.

14 Good evening. Welcome to this EPA hearing. My
15 name is Lisa Perenchio, and I'm the hearing officer
16 representing the United States Environmental Protection
17 Agency, or EPA for short, for tonight's public hearing.

18 With me is Dave Novak of the Office of Public
19 Affairs, EPA. He will moderate tonight's hearing.

20 We are here today to listen to and record your
21 comments regarding a draft exemption from a ban on disposal
22 of hazardous wastes through injection wells that -- I'm
23 sorry.

24 We are here today to listen to and record your
25 comments regarding a draft exemption from the ban on

1 disposal of hazardous wastes through injection wells that
2 the EPA has proposed to issue to the Environmental Disposal
3 System for their Romulus, Michigan, facility.

4 The exemption, which is the subject of tonight's
5 hearing, is being proposed according to the Federal
6 Underground Injection Control Program requirements, which
7 may be found in the Code of Federal Regulations at Title 40,
8 Section 148, Subpart C.

9 The Hazardous and Solid Waste Amendment to the
10 Resource Conservation & Recovery Act, which was enacted in
11 1984, placed substantial additional responsibilities on
12 those who handle hazardous waste. The amendments prohibited
13 the land disposal of restricted hazardous waste after
14 certain dates unless the EPA determines that the prohibition
15 is not required in order to protect human health and the
16 environment for as long as the waste remains hazardous.
17 After the effective date of the prohibition, hazardous waste
18 can only be injected under two circumstances:

19 1) When the waste has been treated in accordance
20 with the requirements of 40 CFR, Part 268, as required by
21 Section 3004(m) of the Resource Conservation & Recovery Act,
22 and the EPA has adopted the same treatment standards for the
23 injected wastes in 40 CFR, Part 148, subpart B; or

24 2) When the owner/operator has demonstrated that
25 to a reasonable degree of certainty there will be no

1 migration of hazardous constituents from the injection zone
2 for as long as the waste remains hazardous.

3 I will now give a description of the petition
4 process and the proposed facility.

5 In January 2000, EDS submitted a petition for
6 exemption from the land disposal restrictions for two
7 Class I commercial hazardous waste injection wells located
8 at its Citron Road facility in Romulus, Michigan. The
9 petition included studies of the wells and the underlying
10 geology and used mathematical models to demonstrate that the
11 injected waste will not migrate out of the injection zone
12 for 10,000 years.

13 The injection zone is between 3,900 and 4,550 feet
14 below the surface in the Precambrian, Franconia-Dresbach,
15 Eau Claire, and Mt. Simon formations. Specific limits for
16 operation of the wells are contained in the Underground
17 Injection Control permits issued by EPA to EDS, which became
18 effective on October 22, 1998.

19 The proposed exemption will expire 20 years after
20 injection commences. At that time, EDS must cease injection
21 unless EPA has approved a new, valid demonstration of no
22 migration.

23 Announcements of this public hearing were made in
24 the "Romulus Roman," the "News Herald," and "The Detroit
25 Free Press." Announcements also were mailed to those who

1 signed in at the January 8th, 2003, hearing and to those who
2 provided comments on previous EPA actions regarding EDS or
3 previously requested to be on the public notice list for
4 this facility.

5 Now I'd like to tell you a little bit about the
6 nature of a public hearing. Public hearings provide the
7 public with an opportunity to state their views on an
8 intended regulatory action. Although oral presentations are
9 recorded word for word by a court reporter, there's no sworn
10 testimony or cross-examination.

11 This is your opportunity to tell us officially
12 whether you feel the terms of the proposed exemption are
13 consistent with the EPA's Underground Injection Control
14 Program requirements and whether EPA's finding are accurate.

15 EPA will consider all comments relative to the
16 applicable standards in making its decision to grant or deny
17 this exemption for EDS. If you wish to make a statement at
18 this hearing and you've not already done so, please fill in
19 a registration slip available at the sign-in table in the
20 back outside the room so that we may correctly enter your
21 name into the hearing record.

22 If you spoke at the last hearing, your comments
23 are in the public record. You do not need to repeat your
24 comments tonight, but you are welcome to speak again if you
25 wish. Even if you don't choose to make a statement, please

1 sign in if you wish to receive a copy of the agency's
2 response to the comments received and a final decision.

3 Copies of the transcript of the hearing as well as
4 all written comments submitted in this proceeding will be
5 maintained at the EPA Region V office in Chicago and will
6 become part of the administrative record.

7 The public comment on this proposed action began
8 December 8, 2002. EPA held a public hearing on this matter
9 on January 8th, 2003. All comments received, both verbally
10 and in writing at the January 8th hearing, have been entered
11 into the official record for this matter. The public
12 comment period will run through May 16th, 2003.

13 If you have written statements you wish to submit
14 after the hearing is over, you may send those to the EPA at
15 the address on the fact sheet which has been provided at the
16 front table.

17 Dave Novak will be calling the speakers for this
18 hearing. All statements made at this hearing will be
19 transcribed by the court reporter and entered into the
20 record. Elected officials will be offered the opportunity
21 to speak first. As we want everybody to have the
22 opportunity to speak, at the conclusion of the elected
23 officials' statements, the remaining time will be divided
24 equally among the number of speakers who registered.

25 We will reserve the last 15 minutes of the hearing

1 for speakers who did not register or those who wish to make
2 an additional statement.

3 Mr. Novak will now call the speakers in the order
4 they requested to speak. When you're called, please give
5 your name and spell your last name for the court reporter.

6 MR. NOVAK: The first speaker is representing the
7 15th District, Congressman John D. Dingell.

8 THE HONORABLE JOHN D. DINGELL: Thank you.

9 Thank you. I want to express my appreciation to
10 you ladies and gentlemen of the EPA for your presence here.

11 (Off the record momentarily.)

12 THE HONORABLE JOHN D. DINGELL: First of all,
13 thank you, ladies and gentlemen of the EPA, for your
14 presence here. I very much appreciate this second hearing.
15 It is a matter of great importance to my people here in the
16 15th District.

17 For the record, I'm John Dingell, a member of
18 congress from the 15th District. I thank you for holding
19 the hearing. As you know, this is a matter, as I mentioned,
20 of great concern and importance to the people of the 15th
21 District and all of Southeast Michigan.

22 Many of them were distressed by the fact that they
23 did not feel that the prior hearing on January 7 [sic] gave
24 proper attention to the deep concerns felt by the people in
25 this area, so I am particularly appreciative of the fact

1 that EPA has returned, and I thank you for this.

2 I remain firmly opposed to this proposal. It
3 is -- it is one of substantial potential danger. Not only
4 are the people of Romulus and Troy but other communities
5 adamantly against this injection well, which turns the
6 backyards of people here in Southeast Michigan into
7 hazardous waste storage sites, but also every community
8 group opposes this. This includes the Southern Wayne County
9 Chamber of Commerce, Downriver Community Conference,
10 Downriver Board of Realtors, as well as elected officials,
11 officers of all levels of government, and moreover the
12 merits of the proposal are questionable, and I believe that
13 the process certainly at the state level has been flawed.

14 I'm particularly pleased that Representative
15 Hoon-Yung Hopgood is here, Representative Kathleen Law,
16 Representative Glenn Anderson, and State Senator Ray Basham
17 would be here but for the fact that he's recovering from hip
18 surgery.

19 I also note that Council President Mary Ann Riley
20 of the City of Taylor is here as is Stephen Jones speaking
21 on behalf of the City of Romulus and its mayor.

22 I'm well aware that this is a listening session,
23 but I believe there are questions needing answers, and I
24 would like to mention them at this time.

25 Has EPA considered public opposition to deep

1 injection wells throughout the decision-making process? If
2 so, why then has EPA already published a notice of intent to
3 grant the land ban exemption, given the fact that I've heard
4 no citizens state that they're in favor of the well. If
5 not, why does the public have no say in the fact that EDS
6 will be turning their backyards into a storage unit for
7 hazardous materials.

8 I would note parenthetically here at this point
9 that the state of Michigan has had a curious process, which
10 I believe is not entitled at this time to the kind of
11 respect that should normally be given by the federal
12 government for state agencies because the state agency has
13 overwritten the recommendation of a citizens and experts
14 panel, which has -- which has found this to be -- by a
15 proper vote to be both unwise and undesirable.

16 I would note as the second question that federal
17 regulations require the permit EDS to do a demonstration of
18 no migration. First of all, what is the definition of "no
19 migration" in cases of this sort?

20 Second, I see, according to the documents of EPA,
21 that these hazardous chemicals may travel sideways from the
22 bottom well about five miles as much as ten miles in the
23 north -- or rather in the south/southeastern direction. It
24 is this migration that presents risks or hazards to the
25 people. Can EPA assure the safety of water supplies or that

1 there be no migration or that if there is migration, that
2 there is no risk or peril.

3 Next question, has EDS met the demonstration for
4 the "no migration" requirement? If so, does the record
5 provide us with relevant and proper documentation? If that
6 is not in the record, I believe that it should be. Again,
7 according to EPA's documentation, the proposed exemption
8 will allow EDS to operate the wells for 20 year. There is
9 no mention of the termination of the exemption if EDS fails
10 to comply with the standards or if the exemptions made with
11 EPA through computer simulations prove untrue. I think the
12 question now arises as to why this and what action will EPA
13 be able to take if the assumptions prove to be false.

14 Last overall question is how will the public
15 safety be properly guaranteed given the circumstances.

16 In short, the approval process to this date has
17 raised serious questions about the process and about public
18 safety. Significant questions about environmental
19 repercussions have yet to be answered, and I would therefore
20 say that I think that we should approach this, therefore,
21 with the greatest of care and with the requirement for
22 production of assured information that will guarantee the
23 safety of the people of Romulus and Taylor as well as the
24 rest of Southeast Michigan.

25 I want to thank you for your presence. I want to

1 urge you to raise questions about the MDEQ Site Review Board
2 and why that action was overwritten by the state.

3 In any event, thank you very much, ladies and
4 gentlemen, for your courtesy. Your presence here is very
5 much appreciated. Thank you.

6 [Clapping.]

7 MR. NOVAK: Thank you, sir.

8 Representing State Senator Raymond Basham is
9 Andrea Cascarilla.

10 MS. CASCARILLA: Good evening. My name is Andrea
11 Cascarilla, C-a-s-c-a-r-i-l-l-a. I'm the chief of staff for
12 Senator Basham, and he regrets that he could not be here
13 tonight. As Congressman Dingell mentioned, he is recovering
14 from hip replacement surgery and simply could not make it.
15 He was very disappointed. This is the first hearing he has
16 been unable to make, and as much as he wanted to, he just
17 was not able.

18 I do want to read a statement that he will be
19 submitting to the EPA.

20 In response to EDS's petition for a land ban
21 exemption, the senator would like to submit the following
22 technical questions for consideration and response prior to
23 any decision being made.

24 First, with regard to the "no migration"
25 demonstration, I think it's been discussed a number of times

1 the impact of the proposed Sun Pipeline brine disposal and
2 extraction wells, and his concerns involve the EPA's
3 proposed approval of the EDS petition when it does not
4 appear EDS has met the federal requirement for the "no
5 migration" demonstration, especially in light of Sun
6 Pipeline and his question also regarding whether or not it
7 would be possible for EDS to meet this requirement.

8 Another issue that he is concerned about is, along
9 that line, the demonstration of the facts of any extraction.
10 Federal regulations require these considerations before the
11 EPA grants any approval, and there's a concern that perhaps
12 this requirement is being ignored and what the effect of the
13 extraction wells would be, and that consideration should be
14 made before, again, EPA makes any decision on the land ban
15 exemption.

16 He is also concerned about potential problems with
17 the casings with EDS wells and would like to know if there
18 are any problems that the EPA is aware of with those
19 casings. Another concern that he has is regard to the
20 geophysical logs that were run by EDS, what those results
21 were and whether or not the EPA ran any -- had any
22 independent review of those logs by an outside contractor
23 before proposing to approve the EDS petition.

24 And finally on his technical concerns were the
25 results of EPA's review of the EDS quality assurance plan

1 with respect to the methods that may have been used for the
2 collection of samples in analysis during the drilling of the
3 wells.

4 And then finally, as the senator notified the EPA
5 last week, Sun Pipeline is in the process of negotiating
6 with the Michigan Department of Environmental Quality a
7 settlement agreement on their challenge of their brine
8 disposal and extraction permits.

9 Since Sun has already been awarded or granted the
10 permits from the EPA and they're in the process of
11 negotiating a settlement for their state permits, it appears
12 that they could have approved all the necessary approvals in
13 the very near future. In light of these events and the
14 direct conflict between the Sun operation and the EDS
15 operation, the senator respectfully requests at the very
16 minimum that no decision be made until this issue is
17 completely resolved with Sun, and he feels it would be most
18 appropriate that the EPA -- again, if EDS -- or if Sun does
19 reach a settlement agreement with the DEQ and receives their
20 brine disposal well permits, that the EPA immediately deny
21 EDS its land ban exemption.

22 And then lastly on a related note, because of the
23 pending suit in the Michigan Court of Appeals involving the
24 state's issuance of EDS's permits, he would again strongly
25 recommend that EPA refrain from making any decision on a

1 land ban exemption until that court matter is resolved as
2 well.

3 Thank you very much for your time.

4 [Clapping.]

5 MR. NOVAK: Thank you, ma'am.

6 State Representative Kathleen Law.

7 [Clapping.]

8 REPRESENTATIVE LAW: Hello. Thank you very much
9 for granting this second hearing. And it comes to mind,
10 Environmental Protection Agency. We very often just say
11 EPA, EPA, and the words -- those letters really don't mean
12 anything. Environmental Protection Agency. And we're here
13 to talk about a land ban exemption.

14 What's wrong with this picture? Why would the
15 Environmental Protection Agency be considering giving a
16 variance to a company to produce or do an activity which the
17 agency has already banned the disposal or the activity
18 itself. So we're going to have the Environmental Protection
19 Agency talking about a land ban variance.

20 Honestly, this is just -- this goes against
21 everything that I learned in civics class; that you are
22 going to protect our environment and well-being.

23 Now, my district is part of this plume, and I find
24 it extremely audacious that anyone can talk about a 10,000-
25 year security of no -- I just had a planning commission

1 meeting where we're trying to build a building for
2 100 years, and the best planners in the state are saying,
3 no, we can't do it for 100 years, but I'm being told by the
4 Environmental Protection Agency that this isn't going to
5 migrate or this is going to be safe for 10,000 years.
6 Amazing.

7 And the last -- I mean I just have the -- we
8 continue and we continue and we continue. We plead; we ask.
9 I'm a state representative now because the people have sent
10 me there to ask these questions and to get some answers.

11 Why would the Environmental Protection Agency
12 continue with the licensing process when there is an
13 outstanding court case? What happens if the state of
14 Michigan was found to be inappropriate in overturning
15 this -- the siting committee and you've given them a permit?
16 Now we go to court again?

17 What I would ask, what I would plead, what I would
18 say is, please, allow these things to get straight through
19 in our state. Allow our new governor and our new DEQ
20 director time to review these plans, and let the state of
21 Michigan make this decision. It doesn't belong at the
22 federal level at this time.

23 Thank you very much.

24 [Clapping.]

25 MR. NOVAK: Thank you, ma'am.

1 State Representative Hoon-Yung Hopgood.

2 [Clapping.]

3 REPRESENTATIVE HOPGOOD: Good evening. I'm
4 Representative Hoon-Yung Hopgood, H-o-p-g-o-o-d.

5 Thank you for the opportunity to present testimony
6 regarding Environmental Disposal System's land ban exemption
7 request, which is part of the company's plans to operate a
8 commercial hazardous waste well here in Romulus, Michigan.

9 As the new state representative for Romulus and
10 Taylor, I have previously gone on record in opposition to
11 this misguided effort. Back in January I submitted written
12 testimony to the EPA on the matter of a land ban exemption.

13 At that time, I was drawn by three fellow state
14 representatives, Kathleen Law from Gibraltar, Barbara Farrah
15 from Southgate, and Dan Paletko from Dearborn Heights, who
16 are all starting out their first terms as legislators.

17 Tonight we're joined by Glenn Anderson, a state
18 representative as well. You've heard testimony opposing the
19 EDS request. We're joining dozens and dozens of local,
20 state, and federal elected officials throughout Southeast
21 Michigan. These elected officials --

22 [Microphone fell to the floor.]

23 REPRESENTATIVE HOPGOOD: I broke it. Excuse me.

24 [Laughter.]

25 REPRESENTATIVE HOPGOOD: These elected officials

1 represent hundreds of thousands, probably millions of
2 citizens here in Michigan. We do not want the EDS hazardous
3 waste well here in Romulus or anywhere in Michigan, and we
4 ask that you deny EDS their request.

5 The land ban as has been mentioned strikes at the
6 very heart of the matter. Should we as society allow the
7 pumping of treated hazardous waste into the ground? In this
8 case, the answer is no.

9 Tonight we will hear that a hazardous waste well
10 presents a serious threat to the health and well-being of
11 residents throughout Southeast Michigan.

12 We will hear that there's no need for this
13 facility and the industry has significantly reduced their
14 production of the liquid hazardous waste that this facility
15 would accept. Potential customers have not stepped forward
16 and may not exist to the extent that the company would
17 claim.

18 Further, a similar waste well is operating well
19 under capacity in Northern Ohio. We will hear that the well
20 is to operate and be in close proximity to interstate
21 highways, rail lines, and international airports, which
22 presents a particularly significant risk to the economic
23 well-being of Michigan.

24 Most importantly, the well's operating in close
25 proximity to the highest concentration of people in the

1 entire state. We will hear that there have been problems
2 with other commercial waste wells in other states, all of
3 which have been sited in less populous areas than the one in
4 question.

5 What we will not hear is about any good that will
6 come from the proposed EDS facility because there isn't any.
7 So why are we even engaging in this discussion? Simple.
8 EDS and the former governor struck a deal to overrule the
9 rights and interests of millions of residents in Michigan.
10 Nothing else really makes sense.

11 We ask that you correct this mistake. We ask that
12 you protect our lives and the lives of future generations.
13 We ask that you deny EDS their land ban exemption request.
14 Thank you.

15 [Clapping.]

16 MR. NOVAK: Thank you, sir.

17 Representing the Romulus Mayor, Alan R. Lambert,
18 Stephen M. Jones.

19 [Clapping.]

20 MR. JONES: Thank you very much.

21 I'm Stephen M. Jones. Stephen is Stephen,
22 S-t-e-p-h-e-n, and I'm sure everyone here is familiar with
23 how to spell Jones; at least I should hope so.

24 I'm representing Romulus Mayor Alan R. Lambert,
25 and I'm here to reiterate Mayor Lambert's strong

1 opposition -- underscore strong opposition -- to this
2 project, and also to pose the question why would a project
3 proceed when the overwhelming will of the people --

4 UNIDENTIFIED SPEAKER: Here, here.

5 MR. JONES -- has been spoken time and time and
6 time again that this well has no place in this community.
7 It has no place in the backyard of decent hard-working
8 people who have, as I've said, time and time again repeated
9 that they have no desire for this project; that this project
10 has no home in this community.

11 I would just like to reiterate it on behalf of
12 Mayor Lambert and again to hopefully awaken you to the will
13 of the people.

14 UNIDENTIFIED SPEAKER: Here, here.

15 MR. JONES: Thank you very much.

16 [Clapping.]

17 MR. NOVAK: Thank you, sir.

18 The chairwoman of the Taylor City Council, Mary
19 Ann Rilley.

20 CHAIRPERSON RILLEY: Good evening. My name is
21 Mary Ann Rilley. That's R-i-l-l-e-y. And I am the
22 chairwoman of the Taylor City Council, and I am here today
23 on behalf of our mayor, Gregory E. Pitoniak; on behalf of
24 Dorothy West, our city clerk; Wayne Avery, our city
25 treasurer; and all of the members of our Taylor City Council

1 and the residents and business owners of our community.

2 This evening I would like to raise the following
3 objections to the Environmental Protection Agency's issuance
4 of the proposed land ban exemption for the EDS hazardous
5 injection well located in Romulus for the following reasons:

6 No. 1, it is premature to grant the exemption.
7 The EPA in its notice of intent to issue the exemption and
8 in writing to the applicant in the past has appropriately
9 taken the position that in the event that Sun Pipeline
10 obtains its extraction permit for brine, the EPA will
11 terminate any rights that EDS has to inject waste.

12 Sun is currently in litigation with the state of
13 Michigan to obtain the rights to extract brine. Once EDS is
14 permitted to inject hazardous waste in such close proximity
15 to the Sun site, the risk that Sun increases the flow of
16 contamination toward the well or that the brine becomes
17 contaminated and thus unusable substantially increases.

18 The cities of Taylor and Romulus have filed an
19 appeal of the EDS Part 3 permit to construct a facility on
20 the grounds that it was improperly issued contrary to a
21 clear reading of the law.

22 Allowing EDS to have the exemption prior to the
23 resolution of that appeal will irreparably harm the
24 community in the likely event the part 3 permit is
25 nullified.

1 Therefore, the EPA should wait until the Sun
2 Pipeline and the local communities' legal rights have been
3 exhausted and it is clear that EDS shall have the undeniable
4 right to operate the proposed facility.

5 No. 2, the EPA's granting of this exemption under
6 the current proposal is legally and logically inconsistent
7 and unsupportable. As I have already described, the EPA by
8 issuance of the exemption with the carve-out for Sun
9 Pipeline in the event that Sun Pipeline receives its permit
10 rightly recognizes Sun's right to extract brine if
11 authorized to do so.

12 Further, the EPA acknowledges that EDS would then
13 be precluded from injection of hazardous waste. Yet at the
14 same time, the EPA proposes to permit EDS to inject
15 hazardous waste, which injection would effectively preclude
16 Sun's exercising of that recognized right in the future.

17 No. 3, the applicant's own zone of influence model
18 demonstrates that many communities will be impacted by the
19 exemption and will have lost their rights to use this
20 subsurface resource and may materially impact their
21 investment in their property and perhaps decrease the
22 community's public image.

23 Due to the destruction of this natural recourse
24 and other impacts that will result, it appears that a
25 national environmental policy act review should be

1 undertaken for this major federal action.

2 No. 4, granting the exemption on the basis of
3 three or four coring samples for this large of an area of
4 influence, which will literally cover several square miles,
5 is irresponsible. Trying to determine the suitability of a
6 subsurface cavern 4,000 feet below surface with core samples
7 from three or four samples inches in diameter and drawing
8 conclusions of the entire formation for several miles
9 appears very risky, risky in relation to the harm which may
10 be caused in the event that fissures or connections exist
11 with other subsurface zones or resources.

12 The application should be required to provide
13 representative core samples from the entire zone of
14 influence. The risk to the communities and the environment
15 far outweighs the benefit to be gained by granting the
16 exemption on extremely limited data.

17 Again, the entire community is clearly concerned
18 about the granting of this proposed exemption and requests
19 that the above concerns are resolved. The exemptions should
20 be denied or postponed.

21 I'd like to thank my other fellow elected
22 officials for standing up on our behalf and on behalf of the
23 residents of our community. They have brought forth some
24 very provocative questions that we do need resolved.

25 Again, the city of Taylor will be submitting

1 additional written responses, and I appreciate the
2 opportunity that you've given us to speak. Thank you.

3 [Clapping.]

4 MR. NOVAK: Thank you, ma'am.

5 Ed Clemente, the Southern Wayne County Chamber of
6 Commerce.

7 MR. CLEMENTE: Good evening. My name's Ed
8 Clemente. I'm the president of Southern Wayne County
9 Chamber of Commerce. First of all, we're a regional
10 chamber. We cover 21 communities, and we probably represent
11 the business community as you would imagine, but primarily
12 one of our secondary goals is also the quality of life in
13 the region, and my board took a position about I think it
14 was three years ago that even though some of our members
15 have deep injection wells on their sites, we took a position
16 against commercial deep injection wells, mainly primarily
17 because we felt that it wasn't obviously going to add to the
18 quality of life, but secondly, it wasn't going to create
19 many jobs in the area like existing companies that do. So,
20 for example, if you're an employer Downriver and you have a
21 plant that might have a deep injection well but you might be
22 creating jobs of like 3,000 jobs or quite a few jobs, it's
23 an economic factor that something's that I think sometimes
24 you can live with.

25 However, just to bring it in commercially with a

1 lot of trucks that are going across our area I think is very
2 dangerous, and most of our members kind of agreed, sort of
3 like we feel about the waste that's coming over from Canada
4 somewhat in general, but just the idea, we have about -- I
5 can't tell you exactly, but we have quite a few landfills in
6 the area already, and one thing we struggle for at the
7 chamber is to make sure our quality of life is very good.
8 And I think in many cases we don't want to be a dumping
9 ground for the rest of the world sometimes. And that's kind
10 of the image that something like this deep injection well,
11 which is just for commercial use, I find very negative for
12 our region.

13 So in that case, even the business community does
14 not support these kinds of commercial deep injection wells
15 because they add nothing to our economy, and they take away
16 from it, in fact. And with that, that's just the private
17 sector point of view that we did formally take a position
18 on.

19 So with that, thank you.

20 [Clapping.]

21 MR. NOVAK: Thank you, sir.

22 We're finished for the time being with the elected
23 and appointed officials. We are expecting some more, so we
24 will go with the general comment until such time then they
25 arrive, and then we'll afford them the opportunity to give

1 their statements.

2 No. 1, BJ Thomas -- RJ, I'm sorry. RJ Thomas.

3 MR. THOMAS: Thank you. Robert John Thomas.

4 MR. NOVAK: And we are roughly at three minutes
5 per speaker, please.

6 MR. THOMAS: RJ Thomas, D. T-h-o-m-a-s, Doubting
7 Thomas. I know we've got a lot of doubting Thomases on the
8 world, boy. Okay. And I swear I didn't -- I didn't crawl
9 in here and sign up at noon. I was at another -- where's my
10 boy? The state representative had us a coffee day, you
11 know, 5 to 6, and Kathleen Law, I went to her garbage -- not
12 her garbage can, but her garbage talk, and here we are.

13 I didn't sneak in here and sign up for No. 1.
14 I've never been No. 1, but John Dingell, where did he go?
15 John Dingell, I know I never met ya, but I'm from West
16 Vernor Highway, Aquinas High School.

17 HONORABLE JOHN D. DINGELL: Raiders are No. 1.

18 MR. THOMAS: Yeah. And I get the "News Herald"
19 all the time, and you're a joy. I got it down here. John
20 Dingell will make you tingle. Ray Basham come out bashin'.
21 And our state representative -- that's where I was before
22 this meeting -- he had a coffee hour for us.

23 So I'm not trying to be funny. I'm just -- you
24 know, I got three minutes. Oh.

25 My boy, Jimmy, he helped me -- I procrastinated

1 and didn't send anything to Chicago. He's a school teacher,
2 and he helped me spell, and we got one off. Now I'm going
3 to talk about him. He's a counselor at Adams Middle School,
4 and he loves it. I asked him to speak tonight and counsel
5 EDS; they need it.

6 So that's all. Good luck everybody. And I've
7 been in Romulus 43 years, and I want to stay there, and I
8 want clean water flowing from that barn. Thank you.

9 [Clapping.]

10 MR. NOVAK: No. 2, Alfred Brock.

11 MR. BROCK: Good evening. My name is Alfred
12 Brock, A-l-f-r-e-d, last name, B-r-o-c-k.

13 Validity in contrast to reliability customarily
14 refers to the ability to produce meaningful results
15 regardless of how consistently such results are produced.
16 Reliability customarily refers to yielding the same or
17 compatible results in different clinical experiments or
18 statistical trials. Reliability is dependability; whereas,
19 validity is not.

20 That is, the methods that have produced the
21 results that we are being shown and being led to believe as
22 true may indeed be valid; however, that does not mean that
23 they are reliable and that if we repeated the process that
24 we have been informed has been conducted, we would come to
25 the same conclusion.

1 This is a note from the logs created by Baker
2 Hughes for EDS. Quote: In making interpretations of logs,
3 our employees will give customers the benefit of their best
4 judgment, but since all interpretation are opinions based on
5 inferences from electrical or other measurement, we cannot
6 and do not guarantee the accuracy or correctness of any
7 interpretation. We shall not be liable or responsible for
8 any loss, cost, damages, or expenses whatsoever incurred or
9 sustained by the customer resulting from any interpretation
10 made by any of our employees.

11 The EPA has been mandated to ensure our drinking
12 water is clean and our air is free of contaminants. That is
13 all. This layer is outside of their legitimate mandate.
14 The EPA is not carrying on this ridiculous action in order
15 to better our environment, nor to safeguard us, nor to
16 protect or nurture our environment. They are, in fact,
17 attempting to take on a power over a portion of this earth
18 and through time over which it never had and which it can
19 never legitimately possess.

20 Public magistrates have no and should have no
21 direct power over the bodies of their subjects.

22 I was e-mailed by Mr. Gerrish on April 4th. He
23 had spoken to Mr. McConnell, who was the manager at EDS here
24 in Romulus. Mr. Gerrish told me they would welcome a chance
25 to show their facility to me and explain how it would work.

1 I finally got ahold of Mr. McConnell and told him
2 that Mr. Gerrish had told me to call to arrange to come and
3 see their facility and take a look at a copy of their
4 petition.

5 He said, oh, yeah, sure, but we're doing this for
6 you.

7 I said, I understand that.

8 He told he in a forceful manner, we are doing this
9 for you. We don't have to do this.

10 At this point I realized I was not speaking with
11 someone that wanted to show me their facility or was proud
12 of it. I was speaking to someone who had a brutal tone of
13 voice.

14 He continued and told me, we are doing this for
15 you; we don't want you to bring along your entourage. We've
16 tried other people in the past that came by and acted in
17 a -- he paused -- irresponsible manner.

18 I told him that it would only be me, and I was
19 interested in the figures they have recorded in the
20 petition.

21 He said, all right.

22 I was told that what he was afraid of was that I
23 might bring lawyers from the city of Romulus or
24 representatives from the Sun Oil Pipeline.

25 In any case, I did go see them last Friday, and I

1 arrived at 1 p.m., and I signed a piece of paper with the
2 guard and noted warning signs on the fence topped with razor
3 wire. They were at about three-foot intervals and warned me
4 to stay out in French, English, and Spanish.

5 I watched a train pass by and felt the earth shake
6 beneath my feet with its rumbling. As I walked in the
7 building, a plane flew overhead, and again I felt the earth
8 vibrate. My concerns about subsonic vibrations came to mind
9 as I went in.

10 In the hallway I noted that construction has not
11 been completed. The switches are all exposed. I met
12 Christy, the receptionist, who attempted to find
13 Mr. McConnell. She brought me to a meeting room and gave me
14 access to the petition folders. There are 11 of them and
15 one large brown envelope, which holds the paper logs of the
16 well drill bores.

17 As she was leaving the room, I asked if I could
18 get a drink of water.

19 She turned to me and said, I don't know. I've
20 never tried it. I don't know if it's trustworthy. There's
21 a water fountain in the hall and in the kitchen in the
22 refrigerator. I thanked her and went to my business. I did
23 not try the water.

24 I was told that the Region V office of the EPA
25 does not have the software that the EDS consultants used in-

1 house. That is, the Environmental Protection Agency could
2 not and did not verify the results of the mathematical
3 modeling performed by an unknown third-party consultant
4 employed by EDS.

5 I have been told that EDS used three software
6 packages: PHIST, INTERACT, and SWIFT II. Only INTERACT and
7 SWIFT II are mentioned as tools in the petition I read in
8 its entirety in the federal register. PHIST is a
9 generalized histogram plotting program with various format
10 controls. PHIST does not do the histogramming. This is
11 left to the user.

12 Swift II software provides application modules for
13 wavelength scanning, reaction kinetics quantification,
14 multi-wavelength, time drive, fraction analysis, and high
15 throughput bacterial cell culture work. These comprehensive
16 software modules are proven and excellent for people who
17 wish to export results to Excel, which is essential for
18 consistent report preparation.

19 The software package was created by Biochrom,
20 Limited, which was founded in 1970 as Biocal to sell and
21 essentially manufacture amino acid analyzers at St. Albans
22 in the UK.

23 EDS was using and the EPA accepted as valid
24 results from geological information that was passed through
25 software designed to analyze amino acids in molecular

1 biology.

2 The SWIFT II package was designed to be used in
3 the field of molecular biology, and it was used -- and to
4 what success I cannot determine in this short time -- by
5 Mark Reeves and Linda Kennedy at the Sandia National
6 Laboratories when working with waste-isolation flow and
7 transport model for fractured media.

8 I had hoped to apply the data provided in the
9 petition to several models created with TOUGH-2, PetraSim,
10 and MODFLOW. These software applications are specifically
11 designed to analyze and provide meaningful output regarding
12 the various data input during normal fluid flow through
13 fractured media study. I have the proper software.

14 On two of the logs in the information that I
15 examined, the header clearly stated that the point of origin
16 was in Illinois; not Chicago, but another location, and not
17 Romulus, Michigan. If the header is wrong, why should I
18 consider the data below it to be valid?

19 Mr. Gerrish reported to me that had I visited
20 the -- that when I visited the EDS location, I would not see
21 the correspondence between the Region V office and EDS. The
22 reportedly several long lists of issues identified by
23 Region V office relating to the interpretation, accuracy,
24 conservatism, et cetera. Two of the revisions were so
25 extensive that whole volumes were replaced.

1 If you wish to put the well in Romulus, I believe
2 that the federal government must justly declare eminent
3 domain and settle for established market prices before the
4 well is operating with the inhabitants of Romulus and indeed
5 all of the people that live within the zone that will be
6 touched by this plume of waste.

7 Finally, I'd ask for the electronic data collected
8 from the logs. I was told the EPA did not have access to
9 the software that created it. In the back of one of the
10 binders that I looked through, I found a CD. Christy put it
11 in her PC for me, and we confirmed that that CD contained
12 all of the information I have been seeking for the past
13 three months.

14 If the EPA does not have a copy of the CD, their
15 copy of the petition is different from the one in Romulus.
16 If they have the CD, then I feel I have been and I believe
17 all of us have been lied to by omission. Thank you.

18 [Clapping.]

19 Mr. BROCK: Lastly, and I thank you for the time
20 that you've taken with me, I have a 111-page additional
21 comments. These are comments based on the scientific
22 material that I have reviewed, and I'm going to submit them
23 now so I don't have to mail them to Chicago. Thank you.

24 [Clapping.]

25 MR. NOVAK: Thank you, sir.

1 Mary Beth Doyle, No. 3.

2 MS. DOYLE: Hello. My name is Mary Beth Doyle.
3 That's D as in delta o-y-l-e. I'm here representing the
4 ecology center and our several-thousand members and
5 supporters throughout Michigan.

6 We're here tonight to ask you to reject this land
7 ban exemption. I can already hear some of the responses
8 we're going to get because I recognize that the EPA feels
9 obligated to make a decision based on the technical matter,
10 so I do hope that you strongly consider some of the
11 information the gentleman before me spoke about.

12 So we're not here asking you to reject the land
13 ban exemption because the people don't want it, but they
14 don't. And we're not here asking you to reject it because
15 our elected officials don't want it from the city councils
16 to the state house to DC, but you've heard from them
17 tonight. They don't want it.

18 We're not asking you to reject it because the
19 out-of-sight-out-of mind way of thinking about hazardous
20 waste doesn't make sense. We're not asking you to reject it
21 because we don't need the capacity, but we don't need the
22 capacity.

23 Michigan is now the second largest importer of
24 trash of all the states in the U.S. Are we going to become
25 the largest importer of hazardous waste as well?

1 We're not asking you to reject it because it's a
2 stone's throw away from the eighth largest, eighth busiest
3 airport in the country. It was foolish before
4 September 11th, and it's really foolish now.

5 We're not asking you to reject it because the site
6 review board recommended that it be denied. That site
7 review board's decision would have been final. That board,
8 largely appointed by Governor Engler, said that we should
9 not have -- site this well for many reasons, including the
10 fact that there wouldn't be emergency access capability.

11 No, those are not the reasons that we're asking
12 you to reject this well; however, there are plenty of
13 reasons right now for the land ban exemption.

14 First of all, it's premature, as you've heard.
15 Until we find out what's happening with the Sun Oil permit,
16 no action should be taken on this land ban exemption.

17 Second, the idea of modeling waste for 10,000
18 years underground is pretty absurd on the face of it,
19 particularly here in an area where we do have seismic
20 activity. It's especially problematic after the
21 January 2001 earthquake in Ashtabula, Ohio. That earthquake
22 was caused by the injection well there, and we will be
23 submitting information, including information from
24 "Geotimes," which talks about how that well caused that
25 earthquake, and they did say that these were previously

1 unknown strikes at fault at a depth of about two kilometers.
2 Now they say the injected fluids have migrated further from
3 the well and are triggering the slip of the second fault
4 about 4.5 kilometers away, but still around two kilometers
5 deep.

6 Ashtabula isn't far. It's not far geographically;
7 it's not far geologically. We felt that earthquake here in
8 Michigan. The same layer that we're going to be injecting
9 our waste into, the Mt. Simon layer, is the layer that they
10 injected their waste into.

11 So luckily there are plenty of other reasons for
12 you to exempt -- to reject this land ban exemption. We
13 don't want this well, we don't need this well, and we'd like
14 you to stop this well. Thank you.

15 [Clapping.]

16 MR. NOVAK: Thank you.

17 Nancy Nicastro, No. 4.

18 MS. NICASTRO: That's Nancy, and Nicastro,
19 N-i-c-a-s-t-r-o. I'm a concerned citizen from both Romulus
20 and Taylor as I grew up in Romulus, I currently live in
21 Taylor, and I'd like to say that I cannot believe that we
22 are here yet again.

23 We have presented every argument and covered every
24 issue scientifically, morally, and ethically. It's funny
25 that President Bush is fighting in Iraq to disarm Saddam

1 Hussein of chemical weapons and yet a government agency,
2 EPA, is legally allowing EDS to have a facility that will
3 house toxic chemicals. Shall I call this legal terrorism?

4 And here is EDS with this injection well that
5 terrorizes the local communities. Perhaps I should have
6 asked Bush to send in the troops.

7 We are pleading our case once again and asking for
8 you to disarm this hazardous waste dump and stop the
9 terrorism in our community.

10 I also would like to point out in the papers that
11 you have provided up front in your own words, it is your job
12 to protect all current and future underground drinking water
13 resources. Can you guarantee that this migration five to
14 ten miles south, southeast of Detroit is not going to end up
15 in the Detroit River? Are you therefore -- you're going
16 against your own words that you're supposed to protect
17 future water sources?

18 Also -- it says here also in your own words the
19 earthquakes are rare and fairly weak in the area. The
20 shafts are flexible and should be able to withstand
21 vibrations, not would, which is a definite word, but should,
22 which shows that you yourself admit that there is a
23 possibility, however remote, that these shafts would not
24 hold up under an earthquake, and, thus, you again are going
25 against the UIC program, which guarantees protection of

1 future water sources.

2 It's inevitable with the track record of these
3 wells that they are hazardous; they do cause problems; they
4 cause earthquakes. This is a time bomb of toxic chemicals
5 will eventually poison this community.

6 We ask that you stop this chemical weapon, stop
7 the terrorism in our community. Also I'd like to add that
8 in the last month, two trucks have overturned on the
9 Michigan expressways, I-75 and I-94 both. Thank God they
10 weren't headed for the well.

11 [Clapping.]

12 MR. NOVAK: Thank you, ma'am.

13 No. 5, Gary Kujat.

14 MR. KUJAT: Hi. My name's Gary Kujat. That's
15 K-u-j-a-t. And I want to first say that I support and I
16 agree with the views that everyone that has stood before
17 you, and I also ask, what guarantees do you have? I also
18 want to know what kind of precautions you're taking. And
19 what are the health risks involved in all of this? And what
20 part of no don't you understand?

21 UNIDENTIFIED SPEAKER: Yes.

22 MR. NOVAK: No. 6, Barbara Goryca, G-o-r-y-c-a.

23 MS. GORYCA: Barbara Goryca, G-o-r-y-c-a, and I'm
24 representing the Legal Women Voters, Dearborn and Dearborn
25 Heights. And I'd like to read a statement concerning the

1 league's position, both national and state.

2 Our national league environmental position is that
3 we promote an environment beneficial to life, to the
4 protection, and wise management of natural resources, and
5 the public interests.

6 The state league believes that natural resources
7 should be managed as interrelated parts of life-supporting
8 ecosystems. The natural resources should be managed as
9 interrelated parts of life-supporting ecosystems. Something
10 to think about.

11 Resources should be concerned and protected to
12 assure their future availability. With this statement, we
13 wish to go on record as opposing the hazardous waste deep
14 injection well proposed by EDS. The league agrees with the
15 conclusions of the state aborted hazardous waste site review
16 board, and we urge the Michigan Department of Environmental
17 Quality to reevaluate their decision to allow any more
18 permits to EDS.

19 And finally, we urge the state to continue to seek
20 community input concerning any of its environmental
21 decision-making. Thank you.

22 MR. NOVAK: Thank you.

23 No. 7, Nancy Boik.

24 MS. BOIK: My name is Nancy Boik. I come from
25 Woodhaven, kind of far from Romulus. I represent the people

1 who live far from Romulus who will also be affected by this
2 well as it migrates to other cities.

3 I'm a nurse. I'll also be taking care of the
4 people who will be contaminated by this well. I have two
5 things I'd like to say. Thank you for the opportunity to
6 say them.

7 First thing is, of course, we know that science is
8 a very inexact study. The one thing everyone's been saying
9 but I feel I can say again is they keep saying that this
10 Mt. Simon formation is solid. Everyone knows in basic earth
11 science we're not one solid element. There are many
12 compounds rubbing against each other. The earth is
13 constantly moving. This Mt. Simon formation will not hold
14 up for 10,000 years. It may not even hold up for 100 years.
15 It will leak. We will be sick. That's the first thing.

16 The second thing I'd like to say is I believe we
17 have -- and I'm not sure of the reason why because as I come
18 to these meetings over the last couple of years, if you look
19 around the room, there is a very strong group, and this --
20 what I'm talking to you right now are the people in the room
21 right now more than the people in the front. There's a very
22 strong group that could represent us. Romulus -- and I'm
23 asking anyone who knows and has any connection with this
24 because I've tried this myself, and it kind of works but not
25 totally. The strong group I'm talking about is the NAACP.

1 I am telling you Romulus is mostly poor black
2 people, and this is why that well -- there are poor white
3 people and regular white people and rich white people, but
4 there are mostly poor black people there, and that's why
5 that well is going there. It's not going in in Birmingham
6 with the white people there. It's not going in land in
7 Woodhaven over here by me. It's going in Romulus because of
8 the poor black people, and the NAACP please needs to get
9 involved.

10 They have strong speakers. They have, you know --
11 I mean -- you know, all of the ones we know, Jesse Jackson,
12 Faracon, these are people who will speak for the people, and
13 sometimes there could be one person and they will rally for
14 one person. Please, anyone who knows and has anything to do
15 with the NAACP or knows anyone -- I have talked to the local
16 chapter myself, but a white person doesn't quite have the
17 same strength as a black person would.

18 Please if we could get the NAACP involved, I
19 believe we would have a strong force behind us as late as it
20 is right now. Thank you.

21 [Clapping.]

22 MR. NOVAK: Thank you, ma'am.

23 No. 8, RP Lilly.

24 MR. LILLY: I'm not used to this public speaking.

25 Thank you.

1 Good evening, ladies and gentlemen. My name is RP
2 Lilly. I reside at 17220 Hannan in the beautiful township
3 of Huron, and that last name is L-i-l-l-y. And I'm here
4 tonight to ask the honorable members of the EPA to use a
5 little common sense and a little logic.

6 Now, maybe that's asking too much of the EPA, I
7 don't know, but I'm going to try it anyway. I researched
8 the statute and some of the rules, most of the rules, I
9 should say, and I don't find a timetable to where you folks
10 are limited to a timetable as to when you have to -- you're
11 not restricted by law -- or you don't have a legal right to
12 give these folks their "no migration" petition in ten days,
13 fifteen days, thirty days, forty-five days. You really
14 don't have that kind of a burden on your back.

15 So what I'm asking you folks to do, you've heard
16 tonight that Sun Pipeline is in negotiations with DEQ. As a
17 matter of fact, we have several members of the DEQ here with
18 us tonight, a large contingency, most of them whom I've said
19 hello to, but they seem -- it seems as though that even the
20 DEQ is kind of interested in this situation.

21 So if we know for a fact that we are entering into
22 negotiations with Sun Pipeline to very possibly give them
23 their permit, then why would you want to put the fly in the
24 ointment? What possible reason -- why don't you just kind
25 of slow down, take it easy, put on the brakes a little bit,

1 and let's see how this thing plays out. Now that's using
2 common sense; that's using logic.

3 You're not restricted by time. You don't have a
4 time frame where you absolutely have to act within 30 days,
5 45 days. So just kind of take it easy, and let's see how
6 this thing plays out. It's very likely Sun's going to get
7 their permit, and if they get an extraction permit,
8 Mr. Skinner and that young man right there who was with
9 Mr. Skinner the night he made the statement over at the
10 other hotel, that if Sun Pipeline receives their permit and
11 they operate that extraction well, that EDS will have to
12 stop, and their "no migration" petition will be taken away
13 from them, regardless of what they spent.

14 Now, I know they're going to be coming to you
15 folks poor-mouthed; look at what we've done; we've built
16 this; we've built that, but they did that all at their own
17 risk. They knew they had the risk of losing all that if Sun
18 Pipeline gets their permit.

19 So I'm asking you folks to just take it easy, and
20 let's wait and see how this thing plays out. It's not like
21 you're going to have to wait a year. Probably -- I doubt if
22 you'll have to wait six weeks. So is it asking too much
23 that you use a little common sense and you use a little
24 logic? What do you think, guys?

25 UNIDENTIFIED SPEAKER: All right.

1 MR. LILLY: Thank you.

2 [Clapping.]

3 MR. NOVAK: Now we have a representative from the
4 14th District of the U.S. House of Representatives,
5 Representative John Conyers.

6 [Clapping.]

7 REPRESENTATIVE CONYERS: Good evening, ladies and
8 gentlemen. I'm delighted to be here and am joined with the
9 dean of the House of Representatives John Dingell in a
10 struggle that has been going on for many years. I welcome
11 the regional Environmental Protection Agency people that are
12 here, but I'm especially proud of all of the citizens from
13 this area who realize that this is not a light or frivolous
14 operation that brings us here tonight.

15 I want to congratulate everybody that's taken
16 their own time to have their voices heard and to make sure
17 that everybody understands where they're all coming from.
18 You really all deserve a round of applause for yourselves.

19 [Clapping.]

20 REPRESENTATIVE CONYERS: Congratulations.

21 John Dingell and I go back a considerable way, and
22 we work very closely together on these matters. And so what
23 I'd like to recommend is that we continue these discussions.

24 You know, we don't really need the EPA except to
25 hear us before they do whatever they're going to do, but I

1 think we need to build up a greater community base in the
2 cities around Downriver so that there is no question and
3 that more of us understand exactly what is at stake here.

4 And so I'm going to be in discussion with John
5 Dingell about how we can talk among ourselves and some other
6 courses of action that we might want to take about this.

7 Let me say this. As one who has had the benefit
8 of the environmentalists and so many of the nonprofits the
9 people work in without getting a dime year in and year out,
10 why? There's no advantage or economic gain. They just want
11 some air that one can breathe and some water that people can
12 drink. Is that asking too much?

13 [Clapping.]

14 REPRESENTATIVE CONYERS: I mean what the heck is
15 the government here for that we can't at least be assured of
16 that much. We're not -- we don't have our hand out. We
17 don't want a grant. We're not looking for a subsidy. We're
18 trying to keep the God-given resources that this area is
19 blessed with as healthy and as clean as possible.

20 Now, if you can't get that much from your
21 government, I don't know what's left of this system. So I'm
22 going to join with Dingell; I'm going to join with you. I
23 want to talk with you. We want to meet about this. I don't
24 come to you as an expert, but I'm going to roll up my
25 sleeves and work as hard as anybody in this room to make

1 sure that justice is done for all of us in the Downriver
2 area.

3 Thank you for letting me speak this evening.

4 [Clapping.]

5 MR. NOVAK: Thank you, sir.

6 Romulus City Councilman Charles Miller.

7 COUNCILMAN MILLER: Good evening. Charles Miller,
8 Romulus City Council. I sit back there with the intentions
9 of not to say anything this evening, but I'm going to tell
10 you, unlike the folks around here who are much more
11 controlled than I am, I am filled with righteous indignation
12 tonight.

13 UNIDENTIFIED SPEAKER: Yes.

14 COUNCILMAN MILLER: And the reason I'm filled with
15 it is because of the Environmental Protection Agency. The
16 very idea. What an oxymoron. My gosh. Environmental
17 Protection Agency, who are you protecting?

18 UNIDENTIFIED SPEAKER: Nobody.

19 UNIDENTIFIED SPEAKER: EDS.

20 COUNCILMAN MILLER: You're not protecting the
21 citizens of Romulus and the vast majority of the people of
22 the United States you haven't protected either.

23 Where were you folk in Winona, Texas? Where were
24 you folks in Vicary, Ohio? I'll tell you where you were at.
25 You were sitting on your laurels, making jobs for yourselves

1 later on in life.

2 UNIDENTIFIED SPEAKER: Swartz Creek.

3 COUNCILMAN MILLER: Spending the vast majority of
4 your time giving environmental policies that sooner or later
5 down the line after you retire you're going to help protect.

6 The people of this city are sick of it. I've
7 heard it for ten years. Blah, blah, blah. I've heard it
8 for ten years. And you know what? At some point in time
9 the very policies that you put into action will come back to
10 haunt your children and your grandchildren, mark my words.

11 [Clapping.]

12 MR. NOVAK: Thank you, sir.

13 No. 9, Homer L-a-u-g-h.

14 MR. LAUGH: I guess I've missed out on a lot of
15 good meetings because this is my first letter. I dated it
16 the 9th of this year to Mrs. Sally Swanson, sent copies to
17 Governor Jennifer Granholm and the mayor of Taylor, which is
18 where I live, John Dingell, and another friend at church
19 that's been involved in international salt problems in years
20 past.

21 One of my -- by the way, I worked for BF Goodrich
22 for about 20 years. I've traveled all over the state, half
23 of Indiana, Northwest Ohio, and we really have a beautiful
24 state, we have good water, and basically I'd like to keep it
25 good water.

1 And this is what I had stated. I have lived in
2 the area since February 1970, and I can't in all honesty
3 approve of this proposal for the state of Michigan,
4 especially when it involves the location very close to my
5 home. This is probably around two or three miles from my
6 house. I have seen other corporations ruin our water and
7 land in the Downriver area, and I just can't allow myself to
8 be silent on this issue.

9 The idea of this injection well being located in
10 the Inkster area needs to be squashed. Why don't you put
11 this well near your backyard, Mrs. Swanson. By the way, I
12 lived in the Chicago area in 1970.

13 I am sending this to other key people hoping the
14 location of this well can be tabled or better yet
15 eliminated.

16 [Clapping.]

17 MR. NOVAK: Thank you.

18 No. 10, Blair J. McGowan.

19 MR. McGOWAN: Blair McGowan, Grosse Ile. I'm
20 going to speak from my prospective as a business owner and
21 taxpayer of the city of Detroit.

22 The Small Business Administration points out that
23 a poorly capitalized company is the most likely company to
24 fail. And a failing company is poorly prepared to live up
25 to the best practices and rigorous regulations required in

1 dealing with dangerous toxic waste in residential
2 communities.

3 A failing company tends to cut training and cut
4 staff, cut corners, is tempted to admit illicit streams of
5 waste. And a poorly capitalized company is ultimately
6 likely to fail.

7 Now, I have four comments to make about EDS in
8 this application. The first one is their business plan
9 seems to fail because there is not an adequate market for a
10 deep well injectable waste. This region of the country is
11 being adequately served. So where they're going to get
12 enough waste to pay their bills and run a good company is a
13 question that has not been resolved and ought to be.

14 No. 2, when a company needs money, it's most
15 likely to go back to its original investors, so I'd like to
16 talk about one of its original investors.

17 Jeffrey Eggan. Jeffrey Eggan was a guarantor of
18 EDS's loans, but then some three years later in 1997 he fell
19 into trouble with Denny McLain. He had defrauded a
20 meat-packing company's employees' pension fund of
21 \$2.5 million. So he's not likely to be in a position to
22 lend it any more money or guarantee any more loans.

23 Thirdly, one of their major sources of funds has
24 been the Detroit Retirement Fund of the Police &
25 Firefighters, and there's a growing consensus in the city of

1 Detroit that that loan was irresponsible, it was
2 ill-advised, and showed a lack of leadership on the parts of
3 the trustees.

4 There's a race right now in the city of Detroit
5 for city council between one of the trustees and a
6 challenger, and the challenger, Ms. Watson, says that she
7 would make sure that that system was reformed and there'd be
8 no more loans to EDS.

9 The other man running for council, Gil Hill, has
10 been relatively quiet on this issue. I'd like to make three
11 points about this.

12 First of all, this was a dangerous investment that
13 endangers the entire region, and Detroiters are concerned
14 that it was poorly thought out.

15 No. 2, there's a high likelihood that the
16 firefighters and police people that put their monies into
17 that pension fund trusting that it would be spent well are
18 going to lose the entire \$12 million.

19 And No. 3, those trustees put an unnecessary
20 additional strain between the city of Detroit and the
21 suburbs. It is time we cured that situation.

22 The fourth and last point I would like to make is
23 this; that although we've got adequate and numerous
24 arguments to deny this application on environmental grounds
25 and geological grounds, economic grounds should also be

1 considered. If a company is improperly capitalized, if its
2 investors are of savory [sic] character, it should not
3 receive an application.

4 If this application were for a casino, it would
5 not be allowed to run a crap table. If this application was
6 for a party store, it would not be allowed to sell
7 Budweiser. But this application is something that stretches
8 for 10,000 years into the future, the decision that's being
9 made at this time, and economics certainly should be part of
10 the consideration. Thank you.

11 [Clapping.]

12 MR. NOVAK: No. 11, Jacob Gaits.

13 MR. GAITS: Everybody here has come up with a lot
14 of solutions to this pain in the neck here, your deep wells.
15 Why don't we just eliminate your product coming from Canada.
16 Why not, because Canada's got a lot of room over there. And
17 besides that, they were at one time a very good ally with
18 us, but that isn't the way it is today. So if you take away
19 their supply of trash, I don't think you would need EDS, no
20 matter what you say, and you wouldn't have to make it last
21 for 10,000 years, ho, ho, ho.

22 Thank you very much.

23 [Clapping.]

24 MR. NOVAK: No. 12, Jeannie Gaits.

25 MS. GAITS: I just wanted to say I have one thing

1 in mind. You see this little girl? I want her to grow up
2 and enjoy life. I don't want her to have to be like Winona
3 movie, Texas, the children that were all handicapped and
4 dismained and unsickly looking [sic]. It was terrible, the
5 movie. I don't want her to have to go through that. That's
6 my granddaughter. And I want her to enjoy life, and it
7 don't look like that's going to happen if this chemical is
8 going to go into effect into our system.

9 They live between Beech-Daly and Inkster Road,
10 which is, what, the wells are Inkster and Middlebelt? Hey,
11 almost their back door. This child can be left to grow up
12 to be a young lady, to enjoy life, to dance, to whatever.
13 She don't need this kind of crap. I want her to enjoy life.
14 Please turn it down.

15 [Clapping.]

16 MR. NOVAK: No. 13, Mike Reid.

17 MR. REID: I can't stand here. I got bad legs.
18 You know, it's like I got this sudden urge to just do some
19 serious, serious stomping on somebody to get the word N-O in
20 their head. This is like the tenth time I've come to one of
21 these meetings, these public hearings. And all I've ever
22 had to hear is people saying no to this. And it's like the
23 EPA; let's do it again.

24 This time I was grateful for my congressman,
25 Congressman Dingell, and all of the elected people that I've

1 had to meet over the last few years to come up here and say
2 the same thing, no to this well.

3 Sun Pipeline. I hope they get their feelings
4 [sic]. I am behind Sun Pipeline because at least what's
5 going in is going to be coming right back up again. This
6 stuff is going to be pumped into the ground under pressure.

7 Now, let's talk about fluid and hydrodynamics.
8 It's going to be pumped in here at over 10,000 per square
9 inch, and it's going to be held. I'm sorry. Limestone,
10 sandstone, everything is not going to hold it. It's going
11 to spread, and it's going to spread, and it's going to cause
12 cracks, and it's going to cause fracture, and then it's
13 going to cause an earthquake just like what happened down in
14 Ohio.

15 A lot of people didn't know about that. That was
16 caused down there by the injection from hazardous waste into
17 the ground. The thing -- oh, shut that damn thing up there,
18 okay? I'll talk as long as I want. Three minutes. You
19 know, I'm an elected official. I'm a precinct delegate in
20 Dearborn Heights. I have over 150 people that I report back
21 to. Also I write a neighborhood column, so I'm the press.

22 But I'm here as just one person amongst many other
23 people, and I'm tired of this; I really am. It's like you
24 come here, you tell us this -- everything's here,
25 everything's here. You put all this fancy stuff up on the

1 wall. Well, hey, let's break it down.

2 It's pressure into the ground, pressure spreading.

3 I'm in the five-mile; I'm in the ten-mile. Matter of fact,
4 most of the places that I have friends live in that. It's
5 all in this affected area and even further.

6 I mean we've got Winona, Texas. We've got this;
7 we've got that. When are we going to stop? I mean the
8 Environmental Protection Agency was founded in the '60s and
9 '70s to help us, the people. You're responsible to us. We
10 through taxes pay your salary. You have to go to congress
11 to get money.

12 I wonder what it would be like if all the
13 congressmen one day just stood up, smiled, and said, hey,
14 EPA, you're not representing our constituents; let's just
15 throw your money over here to something that will do better
16 for you.

17 Now, the well, you're injecting stuff underground
18 in pressure. It's going to move, and it's going to move. I
19 mean I guess some of you might have had a colonoscopy or
20 you've had to go for an enema in life? You know what that
21 feels like? Well, Mother Earth will really give you
22 something to think about when it all comes bubbling right
23 back up, but, no, you probably don't live here in the Metro
24 Detroit area. You probably live someplace where there is no
25 talk of injection wells, where they haul the stuff off.

1 Now, pertinent is the last meeting I was at. I
2 asked for a listing of all the chemicals and which companies
3 were already -- EDS didn't do this with the construction
4 permit because last time I was told, Romulus did not give
5 them a construction permit, so they did this with no
6 construction permit, so I've heard. They're going this way;
7 they're going that way. I just don't understand why we have
8 to constantly come here and say no.

9 UNIDENTIFIED SPEAKER: Amen.

10 MR. REID: And like I said, I'm glad to see that
11 there's other people in the community, but come on, get it
12 up here (indicating) because I'm tired of saying no, but
13 I'll continue to say no until the day I go to my grave. And
14 my mother named me Michael for one reason. I've always
15 gotten my point across.

16 [Clapping.]

17 MR. NOVAK: No. 15, Steven Lewkowicz.

18 MR. LEWKOWICZ: Greetings. My name is Steven
19 Lewkowicz, and just for the record, once again, today's date
20 is April 21st, 2003.

21 MR. NOVAK: Spell your name, please.

22 MR. LEWKOWICZ: Last name is L-e-w-k-o-w-i-c-z.
23 I'm a lifetime resident here in Romulus along with my
24 family, own homes here, and I'm totally opposed to toxic
25 injection well disposal in any form, especially Class I as

1 Environmental Disposal Systems has applied for this permit
2 to you guys.

3 And I'd like -- I feel honored that I'm here
4 tonight with all these people here that oppose this also
5 along with our rep people.

6 Oh, Mr. John Dingell, Steve Lewkowicz, glad to
7 meet you. And also Mr. Conyers, Jr., that was here. I'd
8 like you guys to maybe perhaps introduce some kind of --
9 it's my understanding that the majority of -- aside from the
10 EPA in this hearing, but just a note to Mr. John Dingell
11 that there's an understanding that the majority of this
12 liquid waste is coming from Canada and is to be understood
13 as a commodity. That's how it gets over the border. I was
14 wondering if you guys could maybe impose some kind of laws
15 to stop this from happening that would stop this.

16 Michigan is a Great Lakes state. I would want the
17 EPA to recognize that and not chance the damage of the
18 waterways. It's a nonreversible happening should it
19 contaminate more than just -- just what you proposed here
20 for the underground injection, but here on your EPA diagram
21 of injection wells where you have Class 5 wells, 3, 2, 1,
22 and in comparison between street drainage, industrial waste,
23 large-capacity septic systems, which are not underneath the
24 same pressures as this injection well as proposed to you,
25 and you don't list any kind of pressure of operations here

1 on this permit, and this would be permit EPA 81H01003.

2 So it's not a great understanding of what you're
3 trying to do. Same thing; it's my understanding that you
4 guys are having a second meeting tonight that you guys
5 didn't do your homework and didn't do publications in the
6 local papers. That's something I'd like to list for the
7 record tonight as you have your court recorder [sic].

8 So at the same time you want us to put our trust
9 in you for this and...

10 Anyways, Steve Lewkowicz. I'm opposed to
11 injection wells of any kind. Thank you.

12 [Clapping.]

13 MR. NOVAK: We have Deanna Maher from
14 Representative Conyers' office.

15 [Clapping.]

16 MS. MAHER: I think this is important. That's why
17 I asked to speak, even though I know we're running out of
18 time.

19 Back in 2002 -- I'd been working for Congressman
20 Conyers for seven years, and the whole issue -- one of the
21 environmental issues of the injection well came to my
22 attention when I was working as the point person for
23 Congressman Conyers on the Detroit River American Heritage
24 River designation. One of the things that came across my
25 desk was the injection well, and I thought this is insanity.

1 So I really investigated, and I really looked into it.

2 Last year when I realized, I couldn't believe it,
3 that actually the permits were being given and after 9/11
4 and recognizing that the very safety of our country is at
5 stake because the hazardous toxic explosive materials are
6 coming across the bridge, and why in the world would the
7 government allow that to be buried next to the Detroit
8 Metropolitan Airport?

9 So I'm thinking, well, if the terrorists, they had
10 any idea, I mean we've got the game plan all set up for
11 them.

12 So I wrote a letter to EPA last May. I received a
13 letter in response back about my concerns about the safety
14 of our country and the lunacy of the injection well. The
15 letter that I finally received back from the EPA -- this is
16 in Washington, the Congressional Liaison, Intergovernmental
17 Affairs banquet, and I'm quoting them.

18 The EPA, specifically Region V -- in this case,
19 we're talking about the injection well -- is delegated
20 responsibility for implementing these regulations and will
21 enforce them as it has done since delegation of the EPA in
22 the late '90 -- late 1980s.

23 Then it said: Because the waste will be removed
24 from the human environment in these regulated wells, they
25 will have no effect on human health or the environment.

1 That was interesting.

2 Then it said: You express concerns about both the
3 volume of the shipments of hazardous wastes from Canada to
4 the United States.

5 I have documented proof that a lot of the trucks
6 go by, they take their placards off, they have hazardous
7 waste, and they've been coming back and forth with no
8 notification ever given to the EPA. And, EPA, guess what?
9 Never asked for it.

10 Now, this is the Blue Ridge -- the Blue Ridge
11 Bridge and the Ambassador Bridge both, and then I go down
12 I-75, and I see all these trucks daily coming back, and all
13 I can think of, anything could be in those trucks. I have a
14 truck driver that would be willing to come to you -- I tried
15 to provide that for you, that information -- that he was a
16 truck driver told to take the placards off of the truck so
17 that he can get by fast. And because he reported it, of
18 course, surprise, he was fired very shortly after that.

19 And I'm going to bring your attention to the
20 letter because it breaks my heart about Winona. I did work
21 with the MOSES Group. That's the Mothers', what, Organized
22 Against Environmental Sins or something like that. It's an
23 acronym of that.

24 But William Sanjour wrote -- and he was an EPA
25 person, Director of the Office of Solid Waste & Emergency

1 Response, he wrote to Carol Browner, the administrator at
2 that time of the EPA in 1997. He specifically came right
3 out and said -- to call the attention that -- he said it
4 appears that EPA -- this is -- this is about Winona, and
5 this is about the injection well there.

6 EPA has bent over backwards to allow the hazardous
7 waste facility with its terrible record of pollution and
8 violations to continue an operation and may even have gone
9 so far as to reduce the standards for protection of human
10 health and environment to allow the facility to expand its
11 operations. This is May 1997.

12 This has caused considerable suffering over many
13 years to the poor and mostly black residents of Winona. He
14 went on, and then I thought -- well, the most unbelievable
15 paragraph, he describes how EPA is not -- is backing up the
16 owners, and we all know Winona ended up closed down after
17 600 personal injury lawsuits, mostly children who were born
18 deformed or were affected by the drinking water afterwards.
19 This is unconscionable. This is like what is that? Love
20 Canal? And he said, this bias in favor of the regulated
21 facilities. And now, understand this is an EPA, EPA
22 personnel staffperson that's speaking up for all of us. And
23 the contempt for the poor and disenfranchised who has the
24 temerity to complain about it is widespread among EPA
25 personnel and especially strong in Region VI. Region VI is

1 Texas where that was located.

2 The plant has been a horror to its neighbors for
3 years because of frequent emergency evacuation. Burning
4 eyes, complaints of smell, headaches, throat ulcers. It has
5 been said that the political influence of its odors -- and
6 this is exactly what's going on with EDS here in Romulus --
7 has kept it going despite this.

8 He was told that not only by the neighbors but was
9 also acknowledged by the EPA personnel. And here he is
10 writing with -- this would be an interdepartmental letter.
11 And he took this letter to those poor neighbors in Winona to
12 give them some ammunition, so God love him.

13 So after years of struggle, the community no
14 longer believes that the government will protect them.
15 Those who can afford to have moved away, but the poor people
16 must remain behind. The bonds of trust between the public
17 and those charged with protecting them, which is necessary
18 in a civil society, has been severed in Winona a long time
19 ago.

20 We can't let this happen to Romulus and all the
21 surrounding communities. It is as important for the
22 communities that I work with in the 14th Congressional
23 District, which is a good part of the Downriver Community.
24 We have eight. But it also is going to affect all of
25 Southeastern Michigan if any of this leakage ever gets into

1 the Detroit River, which already has its problems.

2 The Detroit River is the major, major source of
3 water, drinking water, for the entire Southeastern Michigan.
4 So, yes, the impact on Romulus is the strongest, but we're
5 talking about the whole southeastern section of Michigan,
6 the most populous area in Michigan.

7 We can't afford this. We can't. And EPA has the
8 responsibility as you are the caretakers. And I loved what
9 Representative Kathleen Law said. Environmental Protection
10 Agency. That means you protect before the damage is done,
11 not after. That's why I had to speak. Thank you.

12 UNIDENTIFIED SPEAKER: All right.

13 [Clapping.]

14 MR. NOVAK: Do we have anybody else who wants to
15 make a comment?

16 UNIDENTIFIED SPEAKERS: [Raising hands.]

17 MR. NOVAK: We'll start with the gentleman right
18 there. State your name, and spell it, please.

19 MR. EIZEN: Robert Eizen, E-i-z-e-n, resident of
20 Romulus, 30905 Beverly.

21 Again, I would like to add my voice. To those who
22 say that this facility is not needed, the capacity of
23 existing facilities is highly underutilized, and the rate of
24 utilization is rapidly dropping. So at this -- it's obvious
25 from that that this facility isn't needed.

1 The hazard to the area of continuing to inject --
2 or injecting waste at high pressure underground, I will skip
3 a lot of the things that were expressed by others that are
4 quite true about the nature of these things, but let's
5 consider the fact that you're injecting a liquid under high
6 pressure.

7 EDS in their own admission in the earlier hearings
8 that were held by the DEQ admitted that in order to make the
9 capacity underground to hold the liquids that they would be
10 forcing down there, that the rocks down there would fracture
11 in order to make the room to absorb the liquid.

12 If you're fracturing the rocks in a subsurface
13 strata under enough pressure over a wide enough area, you're
14 going to -- and you hit a fault zone -- and there are fault
15 zones in this area -- you are going to have an earthquake,
16 as has been proven down there in Ohio on more than one
17 occasion.

18 If you would like to see an existing earthquake
19 fault up close and real, go down to -- down in Ohio just to
20 the southwest of Toledo. There is a -- some caverns. I
21 can't remember the name of them offhand -- that is a --
22 formed by earthquake fault where the earth actually slipped
23 and the sliding rocks left voids, and they can -- they have
24 stairways carved into the rock, and you can go down some
25 30 or 40 feet into the ground until you get to the water

1 level or whatever happens to be, depending on how much rain
2 there's been, and actually see the inside of the earth and
3 what an open fault looks like and how big it is and then see
4 the water at the lowest point that you're capable of going,
5 knowing that this fault goes down further for a considerable
6 distance and that what they actually tell you there at
7 Seneca Caverns that this water that you're looking at is
8 flowing up toward Lake Erie.

9 So if that's migrating to Lake Erie from an
10 underground source, imagine what happens if we take and
11 force an earthquake fault open in this area with that well
12 and we get water flow into the Detroit River and start
13 flowing this type of waste into Lake Erie as well as the
14 Detroit River, which would affect a great many communities.
15 It would impact a lot of people there, to say nothing of the
16 damage that could be done by a major earthquake, which we
17 are ripe for, whether we realize it or not. This could
18 happen if this is allowed to progress.

19 The water that flows through Seneca Caverns is
20 clean. You can drink it. It's hard because it comes
21 through limestone, so it's got a lot of calcium in it, but
22 what we're proposing to put down there would not be
23 drinkable. It would be toxic and deadly and could have a
24 very high negative effect upon our environment, both
25 chemically, biologically, and seismically. Thank you.

1 [Clapping.]

2 MR. NOVAK: The gentleman right there.

3 MR. MAROW: My name is Mike Marow, resident of
4 Taylor, Michigan, M-a-r-o-w.

5 First I'd like to apologize to all the citizens
6 here. This is my first meeting. You've put a lot of work
7 in, a lot of time, a lot of heartbreak, but I just wanted to
8 stand with you and say that this is not needed. The
9 government has to know when no is no.

10 The toxic waste coming from Canada, they arrested
11 two men taking photographs of the bridge just earlier this
12 morning, I guess, so that people are watching so that it is
13 a real possible threat to our society in this area. So we
14 don't need this thing.

15 The people of Taylor stand with the residents of
16 Romulus. It is just not a necessary thing. The hands that
17 are being lathered with the monies coming from EDS, it's
18 just unconscionable that we'd even consider putting
19 something like this in a community.

20 Let them keep their toxic waste in Canada, if most
21 of it was going to be coming from there. Let them keep
22 their trash in Canada; we do not need it there. We need our
23 land for us. Thank you.

24 [Clapping.]

25 MR. NOVAK: The gentleman that raised his hand.

1 MR. BENDZICK: My name is John E. Bendzick. I
2 live in the city of Dearborn. I represent the Grindley
3 Civic Association.

4 I just wanted to make a comment on testimony that
5 was presented by Alfred Brock who was the second open
6 speaker to speak tonight, and he added this with
7 Mr. McDonald and the facilities over here on Citron
8 Boulevard Road [sic].

9 He made mention of the data aspect of it. I
10 understood his computer systems of the fluid flow data in
11 coming in and logging of information and logging of the data
12 actually flowing into the system itself in terms of the
13 transportation and the transportation coming from Ontario
14 and across the bridge and all the rest of the activity, and
15 I was the one who presented the testimony at the last
16 hearing -- I believe it was Item No. 16 related to the
17 information -- and I still haven't gotten a lot of reply and
18 information. I understand it's going to be at the Henry
19 Ford Centennial Library related to my questions, related to
20 Mr. Brock and some of the issues that he brought up and
21 submitted an 111-page report to you people.

22 Personally myself, I don't see any substantial
23 data right now from a business point of view of issuing any
24 type of permit of operations of business -- of this business
25 under any circumstances right now, period. Even the

1 consideration of operating this business is far below par
2 from an operation point of view and a transportation point
3 of view, a chemical point of view, and an environmental
4 point of view, and I would submit that we need further
5 investigation in terms of this operation.

6 And, No. 2, I believe DEQ and the Sun company
7 issue is under review. Certainly there shouldn't need any
8 decision process being made until the court system has heard
9 the prior issue prior before me speaking on this issue
10 tonight. Thank you.

11 [Clapping.]

12 MR. NOVAK: Okay. We've got two more hands and
13 time for two more hands, so...

14 MR. BUCZKOWSKI: Good evening. My name is Edward
15 Buczkowski, B as in boy u-c-z-k-o-w-s-k-i.

16 I want to thank everybody for coming out. I've
17 been setting home watching these proceedings, and I thought,
18 well, I'm going to come down and be a part of it really.
19 I'm kind of active with the city, been here for family for
20 about 60 years. And grown -- my dad started a business and
21 have been here ever since, so we're doing something right;
22 we're still here.

23 I'm against the well, 100 percent. I keep hearing
24 and watching, and it says Environmental Protection Agency.
25 They remind me of the old thing when they were advertising

1 on television the Ginsu knife. It's guaranteed for life.
2 Are you going to be here for life? Our families are going
3 to be. We don't want the damn well. Thank you.

4 [Clapping.]

5 MS. MACKIE: Good evening. Thank you for the
6 opportunity to speak. My name is Jane Mackie, and I live at
7 30952 Island Drive. It happens to be in the city of
8 Gibraltar, and I'm surrounded by the Detroit River.

9 I use this water as a source of drinking water and
10 for all of the other families in our community that serve
11 over -- I believe it's in the numbers of nine million
12 families in the Detroit and Windsor area.

13 My concern is that in light of the action of the
14 Ann Arbor wells, the Gelman wells have contaminated the --
15 two layers of the water underneath the city of Ann Arbor.
16 It was told -- they were permitted to do the wells and to
17 pump their contaminants in that -- in the ground.

18 Now, if you can guarantee that the same thing will
19 not happen to this area, then perhaps you might want to
20 consider it. But until you can offer all of the communities
21 serviced by this area complete safety, which I doubt you
22 will ever be able to do, then you ought to hold back any
23 kind of continued permitting until that can be established.

24 The groundwater underneath the city of Ann Arbor
25 has been contaminated at two different levels, and it is

1 gradually moving out, and they don't really know where;
2 they're still trying to trace it.

3 So, please, keep that in your consideration when
4 granting any other kind of permit. Thank you.

5 [Clapping.]

6 MR. ORME: Good evening. My name is Jim Orme, and
7 I live at 16321 Dodge in Romulus, lifelong resident.

8 THE COURT REPORTER: Sir, spell your last name,
9 please.

10 MR. ORME: O-r-m-e.

11 THE COURT REPORTER: Thank you.

12 MR. ORME: I've been fighting this well going on
13 13 years for some of you, and it all started in a Romulus
14 Council Meeting when I decided not to watch a Monday Night
15 Football game and get involved with what was going on in my
16 city. And there was -- I hear this toxic well, and I have a
17 biology degree, especially in freshwater limnology, so I
18 know about what they're talking about, and they're talking
19 about this -- some of them are saying this is a good thing;
20 you know, everybody's got to have somewhere to dump their
21 bleach and their household goods that they can't use
22 anymore, and other councilpeople were saying, nah, you know,
23 this is not a good deal.

24 And one of the key players in this -- and I would
25 like an FBI investigation into this whole process, this

1 whole scam, because that's what it is to me. I have really
2 lost faith in government, and I can see why people join
3 militias. They don't get heard, they are not represented by
4 any governmental group, and so they get angry and
5 frustrated, and they turn to violence to get their needs
6 met, and I've been at meeting after meeting after meeting,
7 and it's the same old bullshit. That's what it is.

8 It should be Environmental Money Agency because
9 that's what it boils down to. It's not protection agency.
10 They don't look after the welfare and the needs of the
11 people. It's for big business.

12 Everybody has been supporting Doug Wickland from
13 Day 1 at the government level, okay? And at that meeting on
14 I think it was in November '89, one of the councilmen said,
15 I'm not going to vote on this project because it might
16 reflect a conflict of interest. And he votes on it, and
17 he's right. The conflict of interest is the first well that
18 you dug on Worman Road (ph) and let him process was on his
19 father-in-law's property. That should have thrown a red
20 flag to the EPA right there, okay?

21 EPA can't monitor their own business that they
22 have now. Why are they starting another project like this?
23 Look at all the people who have contaminated the land in
24 Detroit, okay, and the water there. It took years and years
25 to clean up, and we still don't know all the residual

1 effects from the toxiferins and all the organic compounds
2 that have been dumped there. And when they get caught, it's
3 easier for them to pay the fine than it is to have it hauled
4 away or disposed of properly.

5 There are other alternatives to this injection
6 well. Have you ever thought about that? proposing it to
7 Mr. Wickland? The Paleozoic effect. No. We're going to
8 give Doug what he wants because if you trace the money
9 trail, it goes to Engler and probably to Bush. That's --
10 Geoffrey Fieger pointed that out in documented -- on a
11 documentary that was aired on Channel 7, where this money
12 goes.

13 And then who is left when EPA cannot monitor all
14 the issues that they have going on in Michigan? You don't
15 have enough staff, and if they do get fined, it's easier for
16 them to pay the fine than it is to have all the land
17 disposed of properly. So who -- who gets lost in this whole
18 thing? the people who are sitting right in front of you and
19 the next generation and the next generation.

20 We will live like -- if this well goes in -- like
21 Winona, Texas. We'll be another spot in EPA's flawed
22 history of being able to monitor and control the
23 environment.

24 Thank you.

25 [Clapping.]

1 MR. NOVAK: We might add that the commentary does
2 continue through the 16th. If you have written comments,
3 you can submit them yet this evening, mail them in, and we
4 can get you the address if you need it.

5 MS. PERENCHIO: Is there anyone who requested to
6 speak but whose name was not called?

7 (No verbal response.)

8 MS. PERENCHIO: Is there anyone else who would
9 like to enter comments into the public record?

10 (No verbal response.)

11 MS. PERENCHIO: Let the record show that no one
12 else indicates they wish to enter comments. If you have
13 written comments but do not wish to speak, please give them
14 to a USEPA staff member either in front or at the
15 registration tables in the back before you leave here
16 tonight. Thank you very much. This concludes the hearing.

17 Thank you all very much for coming to this meeting
18 this evening.

19 (Proceedings concluded at 9:10 p.m.)

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1 STATE OF MICHIGAN)
) SS.

2 COUNTY OF WASHTENAW)

3 CERTIFICATE OF REPORTER

4 I, LYNNE MARIE ZAKRZEWSKI, Certified Shorthand
5 Reporter, a Notary Public, do hereby certify that I recorded
6 in shorthand the Proceedings had in the aforementioned
7 matter on the date hereinbefore set forth, and that the
8 foregoing 73 pages comprise a complete, true, and accurate
9 record to the best of my ability of said proceedings.

10

11

LYNNE MARIE ZAKRZEWSKI, RMR, CSR-3179

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13 Notary Public, Washtenaw County, Michigan

14 My Commission Expires: 05/07/04

15 Dated: This 29th day of April, 2003

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